

REMARKS

The applicants appreciate the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

The examiner rejects claims 1-4, 6, and 8-10 under 35 U.S.C. §120(e) as being anticipated by, and claims 5 and 7 under 35 U.S.C. §103(a) as being unpatentable over, U.S. Patent No. 6,199,557 to *Laughlin*.

The applicant claims an electrostatic charging circuit for inducing an electrostatic charge on the aerosol fog of the decontamination reagent to attract the aerosol particles to all the surfaces to be neutralized. This provides more effective distribution of the decontamination reagent and requires less reagent. See the applicants' specification, pg. 3, lines 18-20. Coverage in a building with complex surfaces, cracks, and crevices is enhanced. The specification, pg. 3, lines 21-23. See also, pg. 4, line 20 - pg. 5, line 3; pg. 9, lines 8-18; and pg. 10, lines 8-20.

In other words, the electrostatic charging circuit claimed is provided to make sure the decontamination agent goes *everywhere* and sticks to *everything* for more effective and efficient decontamination.

Laughlin relates to a tanning compound applied to a person's skin. The only "reference" to a decontamination agent is the words "decontamination agent" at column 5, line

30 and column 2, line 67. There is no disclosure in *Laughlin* concerning the type or types of decontamination compound. But, the structure of *Laughlin*'s system for distributing the tanning compound would have to be exactly the same as the structure of the system for distributing a decontaminating agent. In both cases, *Laughlin* seeks to *contain* the spray of the tanning solution, not spray it everywhere so it sticks to everything. See *Laughlin*, column 9, lines 32-55. In one embodiment, containment is provided for in *Laughlin* by the addition of top and bottom panels 16 and 17. See Figs. 3 and 14-15 of *Laughlin*.

If terrorists contaminate a military barracks, no panels could be added to the decontamination process; nor would that be desirable. The panels would block the decontamination agent from effectively and efficiently being dispersed everywhere within the barracks.

Laughlin also discusses the use of an exhaust fan 18, Fig. 4. See column 9, lines 56 – column 10, line 32. The exhaust fan *removes* residual tanning spray out of the booth. Again, this is the opposite of the applicant's claimed invention which seeks to spray the decontamination agent everywhere in the barracks so that none is wasted by being drawn out of the barracks. See also *Laughlin*'s use of drain pump 74 at column 12, lines 30-38.

Finally, decontamination solutions are not typically applied to a person's skin because most decontamination solutions are harmful to skin.

The only reference in *Laughlin* to electrostatically charging the particles is as follows:

“Alternatively, spray *containment* can be obtained using electrostatic forces where the atomized spray is charged and the *residual* charge spray is removed by activating charged *collection plates*. Of course, precautions must be taken so that the person being sprayed and the operator are isolated from the charged plates.” *Laughlin*, column 9, lines 39-44 (emphasis added).

Again, *Laughlin* is teaching that excess tanning solution is to be collected and contained by the addition of charged collection plates so the tanning solution does not stain anything in the immediate area. See *Laughlin*, column 9, lines 48-49.

This is the exact opposite of the applicant’s claimed system in which it is desired, and in fact engineered, such that the decontamination agent goes *everywhere* in the barracks.

In order to advance prosecution, independent claim 1 has been amended to, *inter alia*, recite a device, located upstream of the aerosol device, for fanning the fog to more widely provide better coverage of complex surfaces, cracks, and crevices. Independent claim 10 has been amended to reflect the desired wide dispersal of the electrostatically charged aerosol particles.

Such a device may be fan 16, Fig. 1 of the applicants’ specification or a similar device. See the specification, pg. 8, lines 12-16. An air compressor may also be used. See pg. 8, line 22 – pg. 9, line 2.

Laughlin clearly teaches away from any such system. As noted above, *Laughlin* only wants the tanning solution to strike the skin of the person in the booth, not any other part of the booth. As such, *Laughlin* teaches an *airless* focused sprayer. See *Laughlin*, column 8, lines 39 – 41. And *Laughlin's* exhaust fan 18, Fig. 4 is not only located *downstream* of nozzle 11, it is for containing and capturing residual tanning solution, not for widely dispersing it.

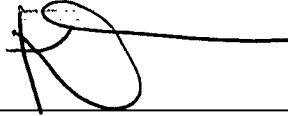
As such, *Laughlin* teaches away from a portable device as shown in Figs. 2 and 4 of the subject application in which a fan blows the aerosol and charged decontamination agent everywhere to more efficiently and effectively counter a terrorist threat. Accordingly, independent claims 1 and 10, and dependent claims 2-9, are patentable under 35 U.S.C. § 102(e) and §103(a) over *Laughlin*.

In sum, *Laughlin's* tanning spray booth which seeks to contain the tanning solution, is the exact opposite of the applicant's claimed decontamination system which sprays atomized and charged decontamination particles everywhere to fully decontaminate a room which has been subjected to a terrorist threat.

Each of the Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781)890-5678.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Kirk Teska', written over a horizontal line.

Kirk Teska
Reg. No. 36,291

KT/ok